

REMARKS

This Application has been carefully reviewed in light of the Official Action issued September 30, 2009. Claims 1-12 are pending in this Application. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 1-4 and 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,453,354 issued to Jiang, et al. in view of U.S. Publication No. 2002/0161855 published by Manczak, et al. Independent Claims 1 and 10 recite in general an ability to initiate an operation on the virtual metadata, lock the virtual metadata during execution of the operation, begin execution of the operation on the virtual metadata, determine whether a metadata server maintaining the virtual metadata is to be relocated during execution of the operation, determine whether the virtual metadata is under hierarchical storage management, and release a lock on the virtual metadata in response to relocation of the metadata server during execution of the operation on the virtual metadata and the virtual metadata being under hierarchical storage management. By contrast, the Jiang, et al. patent merely discloses that it can place locks on its files. However, the Jiang, et al. patent fails to disclose any capability to relocate a metadata server let alone release a lock on virtual metadata in response to relocation of the metadata server as required by the claimed invention. Moreover, the Examiner readily admits that the Jiang, et al. patent fails to disclose these features. To offset the deficiencies of the Jiang, et al. patent, the Examiner cites the Manczak, et al. application metadata and data storage including hierarchical storage management. However, the Manczak, et al. application discloses the storage of metadata

in a metadata server separate from its associated file data stored on a bitfile storage server. See Paragraph [0034] of the Manczak, et al. application. The Manczak, et al. application discloses that there can be redundant servers and file data can be stored in one or more locations and reflected as such in the associated metadata. However, the Manczak, et al. application only discloses that the storage server of the file data can be relocated. See Paragraph [0051] of the Manczak, et al. application. Contrary to the Examiner's assertion, the Manczak, et al. application fails to disclose any ability to relocate the metadata server. The Manczak, et al. application only discloses that the metadata server is updated when the storage server of the file data is relocated. See Paragraph [0052] of the Manczak, et al. application. Thus, the Manczak, et al. application only addresses data migration and not metadata migration. Moreover, the Manczak, et al. application fails to address how to handle a situation where an operation is being performed on metadata upon determining that the associated metadata server is to be relocated as provided in the claimed invention. Therefore, Applicant respectfully submits that Claims 1-4 and 10-12 are not anticipated by the Jiang, et al. patent.

Claims 5-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,453,354 issued to Jiang, et al. in view of U.S. Publication No. 2002/0161855 published by Manczak, et al. and further in view of U.S. Patent No. 6,981,005 issued to Cabrera, et al. Independent Claim 5 recites ". . . locking virtual metadata maintained by the current metadata server during execution thereof by one of the computer system nodes, the virtual metadata being DMAPI enabled; beginning execution of the operation on the virtual metadata; initiating relocation of the current metadata server

to the new metadata server during execution of the virtual metadata; releasing a lock on the virtual metadata in response to initiating relocation of the metadata server during execution of the virtual metadata." Thus, Independent Claim 5 includes similar features shown above to be patentably distinct from the proposed Jiang, et al. - Manczak, et al. combination. Moreover, the Cabrera, et al. patent fails to disclose relocation of a metadata server or release of a lock on a virtual metadata in response to relocation of the metadata server as required by the claimed invention. Therefore, Applicant respectfully submits that Claims 5-8 are patentably distinct from the proposed Jiang, et al. - Manczak, et al. - Cabrera, et al. combination.

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,453,354 issued to Jiang, et al. in view of U.S. Publication No. 2002/0161855 published by Manczak, et al. Independent Claim 9 recites ". . . at least one metadata client node, coupled to said storage area network, the at least one metadata client node operable to: initiate an operation on the virtual metadata; lock the virtual metadata during execution of the operation; begin execution of the operation on the virtual metadata; determine whether a metadata server maintaining the virtual metadata is to be relocated during execution of the operation; determine whether the virtual metadata is under hierarchical storage management; release a lock on the virtual metadata in response to relocation of said at least one metadata server during execution of the operation on the virtual metadata and the virtual metadata being under hierarchical storage management. As pointed out above, the Jiang, et al. patent merely discloses that it can place locks on its files. As admitted by the Examiner, the Jiang, et al. patent fails to disclose

any capability to relocate a metadata server let alone release a lock on a virtual metadata in response to relocation of the metadata server as required by the claimed invention. The Manczak, et al. application merely discloses hierarchical storage management and the migration of data, but not migration of metadata. Moreover, the Manczak, et al. application fails to disclose relocation of a metadata server or release of a lock on a virtual metadata in response to relocation of the metadata server as required by the claimed invention. Therefore, Applicant respectfully submits that Claim 9 is patentably distinct from the proposed Jiang, et al. - Manczak, et al. combination.

Applicant respectfully requests a one month extension of time for submitting this Response to Examiner's Action. Attached herewith is a Notification of Extension of Time in support thereof.

ATTORNEY DOCKET NO.
080068.0173 (formerly 062986.0332)
(1219.53)

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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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01 February 2010

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